

1991

State of Utah v. Michael Duane Seel, Glenn A. Lemon : Unknown

Utah Supreme Court

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CLERK SUPREME COURT,
UTAH

Geoffrey J. Butler
Utah Supreme Court Clerk
332 State Capitol Building
Salt Lake City, UT 84114

RE: Michael Duane Seel and Glenn A. Lemon, Case No. 900474-SC

Dear Mr. Butler:

I have filed the Brief for Glenn A. Lemon in the above referenced case and I request that you inform the justices of the court that the Brief is for a companion case to that of Michael Duane Seel. I also request that the justices be informed that there are some changes in the Lemon Brief. That Brief has fewer issues, and although all of the issues in the Lemon Brief correspond with some of the issues in the Seel Brief, Issue Four in the Lemon Brief differs from Issue Five in the Seel Brief because it is argued that the accomplice statute, Section 76-2-202, U.C.A., 1953, as amended, is improperly applied in convicting Mr. Lemon of Aggravated Burglary.

I realize that with two lengthy briefs on the same District Court trial, that the justices, in the interest of time, may decide to read only one of the briefs, assuming that they deal with all of the same issues. I have attempted to use the same wording and arguments in the Lemon Brief that were made in the Seel Brief, but there are some differences that need to be noted.

I appreciate all of the assistance and help you have given me in the course of first being appointed only to represent Mr. Seel, and later being appointed to represent Mr. Lemon. I hope that I have not inconvenienced the Court, that my briefs are a fair representation of the facts, law and proper argument and that this matter may soon be resolved.

Yours truly,
Keith H. Chiara
KEITH H. CHIARA
Attorney at Law

KHC/kj
xc: Paul VanDam
Attorney General